IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 2280 of 2007()

CRIME NO. 141 OF 2007 OF ERATTUPETTA POLICE STATION

PETITIONER/ACCUSED

V.B.RAJAN,
S/O.BHASKARAN, AGED 49 YEARS,
RESIDING AT SIVASAKTHI, POONJAR P.O.,
POONJAR.

BY ADV. SMT.C.G.PREETHA

RESPONDENTS: COMPLAINANT/STATE

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2280 of 2007

DATED: 13-04-2007

O R D E R

Petitioner who is the Ist accused in Crime No. 141 of 2007 of Erattupetta Police Station for offences punishable under Sections 55 (a)(i), 56 (b) of the Abkari Act and Rule 6 (10-A) of the Abkari Shops (Disposal in Auction) Rules, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner who is a licensee of a toddy shop (TS No. 20 of Tekkoy Village) was selling foreign liquor on the "Good Friday" day on which sale of liquor has been prohibited.

3. The learned Public Prosecutor opposed the application.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between **19-4-2007 and 21-04-2007** for the purpose of interrogation. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his application for regular bail preferably on the same date on which such application is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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